

Inter-Office Memorandum

TO: Officer Tyler Brown
From: Sergeant Casey Malone
Date: 5/16/2013
Subject: 2013-0005

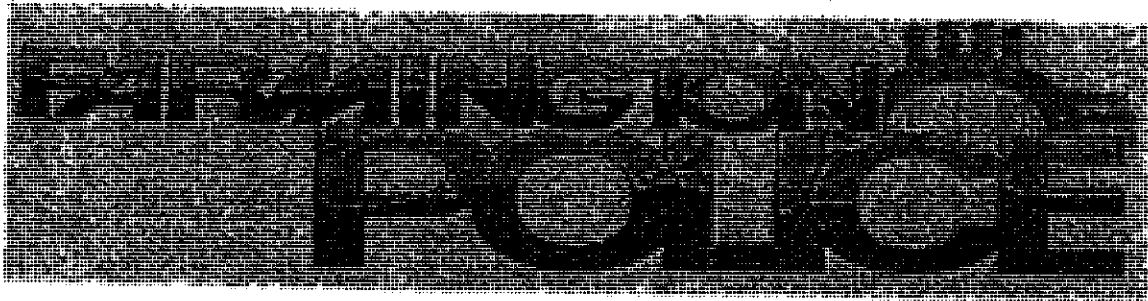
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The Internal Affairs division has concluded its investigation regarding case number **2013-0005** and reached the following findings:


Allegation:	Finding:
Tort Claim	
Unsatisfactory Performance	Sustained
Violation of Rules	Sustained

Please contact me if you have any questions. Any sustained findings are forwarded to the appropriate division for closure.

EXHIBIT C



INTER-OFFICE MEMORANDUM

DATE: March 28th, 2013
TO: Chief Kyle Westall
FROM: Captain Vincent Mitchell 
SUBJECT: IA 2013-0005 Discipline Recommendation

O.K. - KW
5/1/13
TS 5/2/13

I have read and concur with the findings in the above listed Internal Affairs investigation. A **sustained** finding was determined for Officer Tyler Brown violating the code of conduct section titled **Unsatisfactory Performance**. After additional review, I am recommending a **sustained** finding for Officer Brown violating the code of conduct section titled **Violation of Rules** for the following reasons:

The code of conduct titled **Violation of Rules** states: *Employees shall not violate or assist in violating rules, regulations, directives or orders of the Department, whether stated in this Department Manual or elsewhere.* In the internal affairs report narrative, Sgt. Malone noted infractions within the Department's policy and procedure relating to 241-02 (Patrol Operations), and 241-04 (Responding to Calls for Service). The investigation established a preponderance of evidence to show Officer Brown violated these policies.

I am recommending a 30 hour suspension without pay for the following reasons:

Aside from being in policy, the Department's first line supervision up through it's administrative staff mention or discuss almost daily the need for officers to wear their seatbelt and operate department vehicles in a safe manner. Officer Brown's driving behavior displayed a clear and deliberate disregard for Department policy and the supervision who convey the importance of safety. Officer Brown's actions were unprofessional and showed a lack of attention to duty and self discipline. It should be noted that Brown's actions have unnecessarily exposed the department to the potential of some liability. Officer Brown acknowledged the violations and I believe this is a critical element toward correcting future behavior, but the egregious failure to perform despite almost daily reminding merits a stern response.

ADMINISTERED ON 05/16-18/2013
ML491

 K733

LA Case #: 2013-0005 I.A.

Page 1 of 1 Pages

Farmington Police Department

Investigation Report

Case Type: Internal Investigation **Case #:** 2013-0005
Call Type: Traffic Accident **Incident Date:** 01/07/2013 **Time:** 15:45
Origin: Tort Claim **Date Reported:** 01/15/2013 **Time:**
Report #: 12-65277
Location: North Butler Avenue/East Main Street
Address:
District: 5
Status: Open **Date Closed:**

Employee(s)

Employee: Brown, Tyler **ID:** [REDACTED] **Badge ID:**
Supervisor: **ID:**
Notes:

Allegations

Type: Code of Conduct **Title/Name:** Code of Conduct
Violation: Tort Claim
Finding: **Finding Date:**

Notes:

Type: Code of Conduct **Title/Name:** Code of Conduct
Violation: Unsatisfactory Performance
Finding: Sustained **Finding Date:** 03/26/2013

Notes:

Assignments

Group: Sergeant
Assigned To: Malone, Casey
Role: Investigator
Assigned By: Tracy, Jerold Taft
Assign Date: 1/16/2013
Due Date: 4/12/2013
Completion Date: 3/26/2013
Recommendation:

Notes:

Updated 3/26/2013 9:03:01 AM by r633:

Notifications

Name: Brown, Tyler
Notification Type: Officer Notification Memo
Date Notified: 01/16/2013

Notes:**Exhibits**

Type: Letter
Description: Notice of Tort Claim - Deseree Trujillo
Date: 1/17/2013
Number:
Location:
Link: Tort Claim Notice.doc currently in database.

Notes:

Updated 1/17/2013 11:10:47 AM by r635:

COPY

Narrative:

<i>KEITH McPHERSON</i>	<i>WILLIAM 508</i>	<i>3-26-2013</i>
Reviewing Supervisor (Print name)	Signature	Date
<i>VINCENT MITCHELL</i>	<i>[Signature]</i>	<i>03-27-13</i>
Reviewing Supervisor (Print name)	Signature	Date
<i>CAKINS</i>	<i>[Signature]</i>	<i>3/27/13</i>
Reviewing Supervisor (Print name)	Signature	Date
<i>R. WILSON</i>	<i>[Signature]</i>	<i>3/28/13</i>
Reviewing Supervisor (Print name)	Signature	Date

**Farmington Police Department
ADMINISTRATIVE INVESTIGATION
TORT CLAIM**

Internal Affairs Case #: 2013-0005 IA

Conducted by Sergeant Casey S. Malone/R-633

Complaint Allegations:

Tort Claim

Findings:

Not Applicable

Collateral Issue(s):

Policy & Procedure:

241-02 Patrol Operations

(Patrol Vehicles – Seat Belt Usage)

241-04 Responding to Calls for Service

(Non-emergency call response – Vehicle Speed)

Code of Conduct:

1.03 Unsatisfactory Performance

Sustained

Complaint:

On March 19th, 2013, I was assigned an Internal Affairs Case File in reference to a Tort Claim. The Tort Claim had been received by the City of Farmington on January 4th, 2013. The document was from the law office of Arlon L. Stoker on behalf of Deseree Trujillo and was in reference to a traffic crash that occurred on December 12, 2012. The crash involved Farmington Police Officer Tyler Brown.

The notice states Deseree Trujillo was a passenger in the vehicle and she suffered critical, life threatening injuries.

Investigation Review:

A review of the file showed that a traffic crash occurred on December 12, 2012 at approximately 0342 hours at the intersection of East Main Street and Butler Avenue in Farmington, New Mexico. Farmington Police Officer Tyler Brown was operating a Farmington Police Patrol Car (Unit Number [REDACTED]). This was his regularly assigned patrol car and he was on-duty at the time of the crash.

According to the report:

**Farmington Police Department
ADMINISTRATIVE INVESTIGATION
TORT CLAIM**

Internal Affairs Case #: 2013-0005 IA

Conducted by Sergeant Casey S. Malone

Officer T. Brown was traveling westbound on East Main Street. The speed limit on this portion of East Main Street is 35 mph. As Officer T. Brown entered the intersection with Butler Avenue, he observed the second vehicle had also entered the same intersection traveling northbound on Butler. Officer T. Brown stated in the report that he entered the intersection with a green light and he never saw the other vehicle until it was too late to react. Officer T. Brown also advised he did not see any other vehicles on the roadway prior to the crash. Officer T. Brown further advised that he believes his vehicle's speed prior to impact was approximately 50 mph. He also stated he does not believe he had been wearing his seat belt.

A review of the patrol car's Electronic Control Module and Airbag Control Module was conducted. Officers were able to verify that Officer T. Brown was traveling approximately 51 mph at the time of impact. They were also able to show he was not wearing a seat belt.

Cody Olachea was the driver of the other vehicle. Olachea stated in the report that he had been traveling northbound on Butler. The speed limit on this portion of Butler Avenue is 30 mph. Olachea stated that he did not see any other traffic traveling on the roadway prior to the crash. He stated that he knew the light was not red so he entered the intersection with East Main Street. Olachea further stated he didn't believe the light was green either. He then advised he looked directly at the light and saw that it wasn't red but he was also not sure what color the light was, and then he stated it may have been flashing yellow. Olachea also advised he believed he had not been traveling over the speed limit and he advised the speed limit was 35 mph.

Dan Anglin with the City of Farmington Traffic Engineer Division was contacted in reference to the traffic light operation. Anglin advised that during the time period of the crash, these specific traffic lights go into "rest mode." During "rest mode," the signal lights for east and west bound traffic on Main Street remain green until a vehicle triggers a sensor on Butler. Once the signal is triggered, it takes 3-5.5 seconds for the light to turn from red to green on Butler. These sensors are approximately one vehicle's length from the stop line at the intersection. Therefore, a vehicle traveling on Butler must cross over the sensor and then wait 3-5.5 seconds until their light turns green. Anglin further advised that if the lights fail to function properly the system is designed to go into a safe mode which changes the lights to flashing red in all directions. The system then sends an email to him notifying him of the problem. Anglin stated he had not received any emails in reference to this intersection.

Video Evidence:

**Farmington Police Department
ADMINISTRATIVE INVESTIGATION
TORT CLAIM**

Internal Affairs Case #: 2013-0005 IA *Conducted by Sergeant Casey S. Malone/R-633*
Video from Officer T. Brown's Unit (# 9846):

According to Officer T. Brown's in-car camera, he activated the camera at 03:42:46 hours. As the camera activated, it was facing upward, primarily in a westerly direction. Captured in the camera's view was the traffic signal light for westbound traffic on East Main Street and northbound traffic on Butler Avenue.

You can clearly see on the camera that the traffic light is green for westbound traffic on East Main Street and red for northbound traffic on Butler. The light remains like this until 03:47:08 hours when it changes to red for westbound traffic on East Main Street. The light remains red for westbound traffic on East Main Street and green for northbound traffic on Butler for approximately 15 seconds. The lights cycles again to red for westbound traffic on East Main Street at 03:48:55 hours but this time it never changes to green for northbound traffic on Butler. I assumed that the light changed to green for the turning lanes off of Butler on to Main Street. During this cycle, the light only remained red on Main Street for approximately 13 seconds.

Interview with Officer Tyler Brown:

On March 20, 2013 at approximately 1555 hours, I interviewed Officer T. Brown. Prior to the interview, I provided Officer T. Brown with a Notice of Investigation. Officer T. Brown read and signed the form. He stated he did not have any questions in regards to the content of the form. I then asked him to tell me what he remembered about the traffic crash that occurred on December 12, 2012.

Officer T. Brown stated that he was traveling westbound on Main Street approaching the intersection with Butler. He stated he does not recall his exact speeds but he estimates he was traveling approximately 50 mph. He also stated that he was not wearing his seat belt. Officer T. Brown stated as he was entering the intersection, he never saw the other vehicle until he struck it.

Officer T. Brown advised he exited his patrol car and walked to the back while looking for the other vehicle. He stated he did not see the vehicle so he got on the radio and advised dispatch of the crash. He stated that he then activated his in-car camera. Officer T. Brown advised that at this point he realized his head was hurt and he was bleeding. He stated he walked towards the front of his patrol car to sit down on the curb. He stated as he was doing this, Officer S. Kennedy arrived on scene and started calling his name. He advised that as he was standing up, he observed the other vehicle in the parking lot of KFC. He stated that he and Officer S. Kennedy went over to the other vehicle and began rendering aid.

**Farmington Police Department
ADMINISTRATIVE INVESTIGATION
TORT CLAIM**

Internal Affairs Case #: 2013-0005 IA

Conducted by Sergeant Casey S. Malone/R-633

At this time, I asked Officer T. Brown if he remembers if the light was green in his direction prior to the crash. He stated it was green. I asked him a second time if he specifically remembered the light being green. Officer T. Brown stated, "I specifically remember having a green light." He also stated that as he exited his patrol car after the crash the first thing he did was look up at the light and he observed it was green.

Conclusion:

The evidence in this case shows the Farmington Police Officer was traveling westbound on East Main Street when he was involved in a vehicle crash at the intersection with Butler. The other vehicle had been traveling northbound on Butler. The driver of the other vehicle was arrested and charged with Great Bodily Injury, Possession of a Controlled Substance, and Failure to Obey Signal.

According to Farmington Police Officer Tyler Brown, there is no question in his mind that the light was green for his direction of travel.

According to the investigation, the driver of the other vehicle, Cody Olachea, was uncertain what color the light was. He stated he was certain the light was not red but he also stated the light was not green. He did advise the light was possibly flashing yellow. It was determined that this driver had consumed impairing substances. The results of Olachea's blood test showed his BAC to be 0.11 gms/100ml. Also, the signal lights at this intersection are never set to flash yellow.

The facts are as follows: the street light at Main and Butler is designed to remain green for traffic on Main Street until a vehicle on Butler triggers a sensor. It then takes 3-5.5 seconds for the light to turn green on Butler. Both drivers stated they did not see any other traffic on the roadway. Immediately after the crash, Officer T. Brown activated his in-car camera. The camera showed the light was green for westbound traffic on East Main Street.

Based on the Preponderance of the Evidence, it is more likely than not that the light was green for westbound traffic on East Main Street. Therefore, the other driver ran a red light for northbound traffic on Butler. This violation of failing to obey a signal is the largest contributing factor in this crash.

Collateral Issues:

Through the course of the investigation, it was determined that Officer T. Brown was traveling approximately 50 mph in a 35 mph zone on East Main

**Farmington Police Department
ADMINISTRATIVE INVESTIGATION
TORT CLAIM**

Internal Affairs Case #: 2013-0005 IA *Conducted by Sergeant Casey S. Malone/R-633*
Street. Officer T. Brown does not dispute this, and he is unable to provide any justifiable reason for his speed.

Responding to Calls for Service - 241-04

Section 66-7-6 of the Motor Vehicle Code regulates the operation of authorized emergency vehicles and provides exemptions from certain traffic laws to those operators.

The exemptions granted to an authorized emergency vehicle apply only when the driver of the vehicle, while in motion, sounds an audible signal by bell, siren or exhaust whistle as reasonably necessary and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of the vehicle, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

This section does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons nor does it protect the driver from the consequences of his reckless disregard for the safety of others.

Non-Emergency Call Response:

Calls for service of a non-emergency nature where a quick response is not essential. Officers follow normal operating conditions by driving in a safe and courteous manner, adhering to all traffic laws. These types of calls may include, but are not limited to: Non-Injury Crashes, Transports, Calls not in progress, Speak to Officer.

Collateral Issues - Continued:

The investigation also showed that Officer T. Brown was not wearing a seat belt. Officer T. Brown does not dispute this and he is unable to provide any justifiable reason for not wearing his seat belt.

Patrol Operations – 241-02

Patrol Vehicles - Seat Belt Usage: *In compliance with New Mexico State Statutes and City of Farmington Safety Policy, seat belts are worn by drivers and passengers of all Department vehicles at all times the vehicle is in motion. Officers are exempt only in cases of emergency where such use would endanger officer safety. A child restraint device is*

**Farmington Police Department
ADMINISTRATIVE INVESTIGATION
TORT CLAIM**

Internal Affairs Case #: 2013-0005 IA *Conducted by Sergeant Casey S. Malone/R-633
available at the Police Department for use when transporting children as
mandated by State Statute.*

Findings:

Code of Conduct - 1.03 Unsatisfactory Performance

Based on the evidence obtained during this administrative investigation, there is sufficient evidence available to prove A POLICY VIOLATION has occurred. AS a result, this portion of the citizen's complaint is considered **SUSTAINED.**

Farmington Police Department

Complaint Receipt Form

Complaint Number 2013-0005 JA

Complainant Information

Last Name <u>TORT CLAIM</u>	First Name	DOB	Race	Sex
Street Address		City / State		Zip Code
Phone	Cell Phone	EMail		
Method of Complaint: Personal Interview <input type="checkbox"/> Telephone <input type="checkbox"/> Mail/Email <input type="checkbox"/> Other <input type="checkbox"/>				
Complainant Contact Requested? <input type="checkbox"/> Yes <input type="checkbox"/> No In Person <input type="checkbox"/> By Phone <input type="checkbox"/> Other _____				

Brief Description of Incident Date of Report: 01/04/2013

Date of Incident: 12/12/12 Time: 0342 Incident/Case Number 2012-52259(SJCSO)

(Summarized Narrative)

Officer T. Brown was traveling west on Main St. As he entered the intersection at Butler he was involved in a vehicle crash.

Employee(s) Involved (If Known)

Name: Tyler Brown R# [REDACTED] Division/Shift: PATROL / 1
 Name: _____ R#: _____ Division/Shift: _____
 Name: _____ R#: _____ Division/Shift: _____

Status of Complaint

- ☐ The information contained within your complaint does not constitute a violation of Department Policy. No further investigation will be conducted. _____ (Complainant Initials)
- ☐ The issues raised by your complaint will be examined by _____, the employee's immediate supervisor and will be resolved at that level.
- ☐ A preliminary review will be conducted to determine whether or not a violation of Department Policy may have occurred. You will be contacted by the supervisor and notified of the results of the review.
- ☐ A formal complaint investigation has been initiated based upon the information contained in your complaint. An impartial investigation will be conducted to determine whether or not a violation or misconduct occurred. Upon completion, you will be notified of the results of the investigation.

Complainant Signature: _____ Date: _____

Receiving Supervisor: C. Malone R# [REDACTED] Date: 03/19/2013

Division Lieutenant: _____ Captain: _____

Deputy Chief: _____ Chief of Police: _____

FARMINGTON POLICE DEPARTMENT

NOTICE OF INVESTIGATION

Tyler Brown 03/20/2013 1555
Employee Name Date Time

* An administrative investigation is being conducted into allegations (see the summary of the complaint below) of possible violations of the Policies and Procedures or the Code of Conduct of the Farmington Police Department concerning the following incident(s): [Summary should include date, time, location (if known), and description of the specific nature of the allegation.]

X * An administrative investigation is being conducted into the circumstances of your direct involvement in a police involved shooting, in-custody death, use of force incident, or driving incident (see the summary of the incident below):

Summary of Incident / Complaint

Officer T. Brown was involved in a vehicle crash on 12/12/2013 at the intersection of E. Main St. & Butler Ave.

CONFIDENTIAL

Per the Peace Officer's Employer – Employee Relations Act (29-14-1 through 29-14-11 NMSA 1978), Article 26, Employee Investigations and Discipline, of the Agreement between City of Farmington and Communication Workers of America, and the applicable portions of the Code of Conduct, as an employee you have specific rights and responsibilities in this investigation. In the event of an officer involved shooting or accident with life threatening injuries, you have the right to request a 48 hour "cool down" period prior to any questioning.

- Initial TD A. You are being compelled by a Farmington Police Department supervisor to truthfully answer questions relating to your duties/conduct, and you can be disciplined up to and including dismissal for refusal to answer these questions.
- Initial TB B. Any questions, tests, or examinations put to you will be narrowly and specifically related to your performance of duties and fitness for office.
- Initial TB C. Any compelled statements, tests, or examination results can be used against you in disciplinary/administrative/civil proceedings, but will not be used against you in any subsequent criminal action related to the scope of this investigation. However, false statements made by you can be used in other criminal actions, such as Obstruction of Justice or Perjury.
- Initial TB D. Any sustained false, deceptive, or misleading statements you make can lead to additional discipline up to and including dismissal, as well as possible suspension or revocation of your New Mexico Police Officer Certification (29-7-13 NMSA 1978).
- Initial TB E. Any interrogation of you will be recorded, either mechanically, digitally, or by stenographer. You have the right to request, in writing, no later than 15 days from the completion of the investigation, a copy or transcript of any interrogation.
- Initial TB F. You are entitled to receive copies of this Notice of Investigation as well as the Peace Officer's Employer – Employee Relations Act prior to the start of the interview and to retain them throughout the entire course of the interview.
- Initial TD G. During the course of the investigation, you have the responsibility to bring to the attention of the investigating supervisor any witness information or mitigating or exculpatory evidence you believe is relevant to the investigation. You may do this yourself, through your representative or in memorandum form.

☒ Yes ☐ No Due to the on-going nature of this investigation, you are being given a direct order not to discuss this investigation, including your interview, with any unauthorized person. Other than the investigating supervisor(s), the only persons you may speak to concerning this investigation are enumerated as follows: Privileged communications between the employee and his/her attorney, minister, unit representative, or spouse are allowed.

RCI - 070714F

Malcolm R. 33
Investigating Supervisor Signature

[Signature]
Employee Signature

03/20/2013
Date

SUP011001

SCIENTIFIC LABORATORY DIVISION

1101 Camino de Salud, NE, Albuquerque, NM 87102
Please type or print full information to avoid delay in report.

REPORT OF BLOOD ALCOHOL ANALYSIS

1/10/13 0900 1C-DWI-1301-051
Date Received Time Received Lab. No.

PART A-INFORMATION IN THIS BLOCK TO BE FILLED IN BY ARRESTING OFFICER

SEND LAB ANALYSIS REPORT TO:

Name: San Juan County Sheriff's Office
(Complete name of your agency)
Address: [REDACTED]
(Street or post office box number)
Actec NM 87410
(City) (State) (Zip Code)

ARRESTING OFFICER IDENTIFICATION:

Name: Deputy Jason Cox Date: 12/12/12
Department: SJCSD Arrest Time: 0342 ☒ AM ☐ PM
Blood drawn by: Amanda Kline Date blood drawn: 12/12/12
San Juan Regional Medical Center
Place drawn: [REDACTED] Time blood sample drawn: ☐ AM ☐ PMBlood draw witnessed by: _____
(Signature)

REMARKS: _____

S. J. COX P287
(Signature of arresting officer)

SEND COPY TO:

Donor's identification:
Name: Olachea Cody L
(Last) (First) (Middle)
Address: [REDACTED]
(Street or post office box number)
Farmington NM 87401
(City) (State) (Zip Code)
Sex: M Weight: 175 Date of Birth: [REDACTED]
SSN: [REDACTED] Place of arrest: San Juan Regional Hospital
Dr. Lic.# [REDACTED] County: San Juan

REASON SUSPECT STOPPED:

☐ Erratic Driving
☒ Accident ☐ Fatal ☒ Great Bodily Injury ☐ Other: _____
☐ Other: _____Investigated or Witnessed by: _____
(Signature)

INFORMATION BELOW IS TO BE FILLED IN BY DRAWER OF ANY BLOOD SAMPLE

I certify that on the date, time and place indicated above, I drew blood samples from the above named donor and that I marked and sealed the samples with the donor's name. The blood was collected using the entire contents of an SLD-approved blood collection kit in accordance with the instructions.

[Signature] Date 12/12/12 Title ERTech Employer Name STRMC
(Signature of blood drawer)

PART B- LABORATORY USE ONLY

CERTIFICATE OF RECEIVING EMPLOYEE

Specimen Blood ☒ ☐ Other _____ Received from _____Received from: Via Mail ☒ In Person ☐ Other ☐ Other Remarks: _____Seal Intact: Yes ☒ No ☐ If No, explain _____

I certify that on the date shown in the "date received" blank above, I received the sample which accompanied this report and followed the procedures set out on the reverse of this report, and the statements in this block are correct.

[Signature]
(Signature of receiving employee)

CERTIFICATE OF ANALYST

The seal of this sample was received intact and broken in the laboratory: Yes ☒ No ☐ If No, explain _____Result of Analysis
Blood sample: 0.11 gms/100ml
alcohol concentration in sampleRemarks: JAN 13 2013 12:42

I certify that I followed the procedures set out on the reverse of this report, and the statements in this block are correct. The concentration of alcohol in the sample is based on the grams of alcohol in one hundred milliliters of blood.

Date of analysis: 1/10/13Analyzed by: [Signature]
(Signature of analyst)

CERTIFICATE OF REVIEWER

I certify that the analyst who conducted the analysis in this case meets the qualifications required by the director of this laboratory to properly conduct such analyses; the supervisor of analysts is also qualified to conduct such analyses; and that the established procedure has been followed in the handling and analysis of the sample in this case.

Date 1/10/13Reviewer [Signature]

CERTIFICATE OF MAILING

I certify that on this date mailed a legible copy of this report to the donor, in accordance with the mailing procedure set out on the reverse of this report.

Date: 1/10/13Laboratory Employee: [Signature]

SLD 705 (Rules of Procedure for the Municipal Courts, Rule 8-603; Rules of Criminal Procedure for the Magistrate Courts, Rule 6-607; and Rules of Criminal Procedure for

Form # SLD 705 as amended, effective July 1, 1998 (rev. 11/04)

v. Cox: DA

San Juan County Sheriff's Office

STATE OF NEW MEXICO
UNIFORM CRASH REPORT

30,056,630

REPORTING DEPARTMENT

☐ OK PRIVATE
PROPERTY☐ FATAL
☒ INJURYPROPERTY
DAMAGE
ONLY☐ UNDER \$500
☒ \$500 OR MORE☐ HIT AND RUN

Case Number: 2012-52259

NMDOT:

CAD Num:

CRASH DATE (MM/DD/YY)

MILITARY TIME

CITY OCCURRED IN

COUNTY

12/12/2012

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AT INTERSECTION WITH:
Butler AvenueTRIAL LAND?
☐ Yes ☒ NoOTHER
LOCATION☐ FEET☐ MILES☐ N☐ NE☐ NW☐ S☐ SE☐ SW☐ E☐ W☐ N☐ NE☐ NW☐ S☐ SE☐ SW☐ E☐ W☐ N☐ NE☐ NW☐ S☐ SE☐ SW☐ E☐ W☐ N☐ NE☐ NW☐ S☐ SE☐ SW☐ E☐ W☐ N☐ NE☐ NW☐ S☐ SE☐ SW☐ E☐ W☐ N☐ NE☐ NW☐ S☐ SE☐ SW

PERMANENT LANDMARK - COUNTY LINE - INTERSECTION - MILEPOST

LAT: N/A

LONG: N/A

CRASH
OCCURRED☒ On Roadway☐ Off RoadwayCRASH
CLASSIFICATION☐ Overturned☐ Other N-Col☐ Pedestrian☒ Other Vehicle☐ Vehicle on Other Rwy☐ Parked Vehicle☐ Fixed Object☐ Other ObjectANALYSIS
CODE:Vehicle
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Butler Avenue

Left Scene of Crash

Posted Speed

Safe Speed

Driver's Full Name (Last, First, Middle)
Olachea, Cody

Address

Driver's License Number

State

Type

Status

Restrictions

Endorsements

Expires

City/State

Zip Code

Phone

NM

D

V

2/2/14

Farmington, NM

87401

Date of Birth - MM/YY

Occupation

Seat Pos.

Age

Sex

Race

Height

Weight

Eye Color

Hair Color

Skin Color

Blood Type

Organ Donor

Alcohol

Tobacco

Marijuana

Other

Other

Other

Other

Other

Other

Other

Other

Other

Other

Other

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Other

Occupant's Name (Last, First, Middle)

Occupant's Address (City, State, Zip)

Seat Pos.

Age

Sex

Race

Height

Weight

Eye Color

Hair Color

Skin Color

Blood Type

Organ Donor

Alcohol

Tobacco

Marijuana

Other

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Other

Other

ROAD WEATHER LIGHTING (Check 1) <input type="checkbox"/> Daylight <input type="checkbox"/> Dawn <input type="checkbox"/> Dusk <input checked="" type="checkbox"/> Dark - Lighted <input type="checkbox"/> Dark - Not Lighted <input type="checkbox"/> Other and not stated		WEATHER (Check 1) <input checked="" type="checkbox"/> Clear <input type="checkbox"/> Raining <input type="checkbox"/> Snowing <input type="checkbox"/> Fog <input type="checkbox"/> Dust <input type="checkbox"/> Wind <input type="checkbox"/> Other <input type="checkbox"/> Sleet or Hail		ROAD COND. (Check 1 for each) V1 V2 <input checked="" type="checkbox"/> Dry <input type="checkbox"/> Wet <input type="checkbox"/> Snow <input type="checkbox"/> Ice <input type="checkbox"/> Loose <input type="checkbox"/> Other <input type="checkbox"/> Standing or Moving Water <input type="checkbox"/> Slush		ROAD SURFACE (Check 1 for each) V1 V2 <input type="checkbox"/> Paved <input type="checkbox"/> Paved <input checked="" type="checkbox"/> Paved Center & Edgeline <input type="checkbox"/> Unpaved		TRAFFIC CONTROL (Check 1 for each) V1 V2 <input type="checkbox"/> No Passing Zone <input type="checkbox"/> Stop Sign <input checked="" type="checkbox"/> Traffic Signals <input type="checkbox"/> Yield Sign <input type="checkbox"/> R.R. Gate <input checked="" type="checkbox"/> 4 Way Stop <input type="checkbox"/> Flashers <input type="checkbox"/> No Controls <input type="checkbox"/> Other		ROAD CHARACTER (Check 1) <input checked="" type="checkbox"/> Straight <input type="checkbox"/> Curve GRADE (Check 1) <input checked="" type="checkbox"/> Level <input type="checkbox"/> Hillcrest <input type="checkbox"/> On Grade <input type="checkbox"/> Dip		Crash Report Number 30,056,630 Case Number 2012-52259 ROAD DESIGN (Check 1 or more for each) V1 V2 V3 V4 V5 V6 V7 V8 V9 V10 V11 V12 V13 V14 V15 V16 V17 V18 V19 V20 V21 V22 V23 V24 V25 V26 V27 V28 V29 V30 V31 V32 V33 V34 V35 V36 V37 V38 V39 V40 V41 V42 V43 V44 V45 V46 V47 V48 V49 V50 V51 V52 V53 V54 V55 V56 V57 V58 V59 V60 V61 V62 V63 V64 V65 V66 V67 V68 V69 V70 V71 V72 V73 V74 V75 V76 V77 V78 V79 V80 V81 V82 V83 V84 V85 V86 V87 V88 V89 V90 V91 V92 V93 V94 V95 V96 V97 V98 V99 V100	
EVENT V1 V2 <input type="checkbox"/> Excessive Speed <input type="checkbox"/> Speed too fast for conditions <input type="checkbox"/> Failed to yield right of way <input type="checkbox"/> Passed stop sign <input type="checkbox"/> Disregarded traffic signal <input type="checkbox"/> Drove left of center <input type="checkbox"/> Improper overtaking <input type="checkbox"/> Avoid no contact vehicle <input type="checkbox"/> Avoid no contact - other <input type="checkbox"/> Cell phone <input type="checkbox"/> Low Visibility due to smoke		APPARENT CONTRIBUTING FACTORS (Check 1 or more for each) V1 V2 <input type="checkbox"/> Following too closely <input type="checkbox"/> Made improper turn <input type="checkbox"/> Driver inattention <input type="checkbox"/> Under influence of alcohol <input type="checkbox"/> Other improper driving <input type="checkbox"/> Pedestrian error <input type="checkbox"/> Inadequate brakes <input type="checkbox"/> Driverless moving vehicle <input type="checkbox"/> Failed to yield - Police Veh(s) <input type="checkbox"/> Failed to yield - Emergency Veh(s) <input type="checkbox"/> Under the influence of Drugs or Medication <input type="checkbox"/> High speed pursuit		DRIVERS' ACTIONS (Check 1 or more for each) V1 V2 <input checked="" type="checkbox"/> Going Straight <input type="checkbox"/> Overtaking / Passing <input type="checkbox"/> Right Turn <input type="checkbox"/> Left Turn <input type="checkbox"/> U Turn <input type="checkbox"/> Slowing <input type="checkbox"/> Backing		SEQUENCE OF EVENTS (See event codes) V1 V2 FIRST EVENT SECOND THIRD FOURTH EVENT							
DRIVER/PEDESTAL CYCLIST SOBRIETY (Check 1 or more for each with X) D1 D2 <input checked="" type="checkbox"/> Consumed Alcohol <input type="checkbox"/> Consumed a Controlled Substance <input checked="" type="checkbox"/> Had Not Consumed Alcohol <input type="checkbox"/> Sobriety Unknown <input type="checkbox"/> Consumed Medication <input type="checkbox"/> Tested by Instrument <input type="checkbox"/> Breath Test Administered gms/210L _____ gms/210L _____ <input type="checkbox"/> Blood Test Administered <input type="checkbox"/> Standard Field Sobriety Test Administered <input type="checkbox"/> Refused Test		DRIVER/PEDESTAL CYCLIST PHYSICAL COND. (Check 1 or more for each with X) D1 D2 <input type="checkbox"/> Fatigue-Asleep <input type="checkbox"/> Eyesight Imp. <input type="checkbox"/> Hearing Imp. <input type="checkbox"/> Illness <input type="checkbox"/> Medication <input type="checkbox"/> Amputee <input checked="" type="checkbox"/> No App. Defects <input type="checkbox"/> Other Physical Impairment <input type="checkbox"/> Unknown		PEDESTRIAN/PEDESTAL CYCLIST ACTION (Check 1 or more for each with X) P1 P2 <input type="checkbox"/> With Signal <input type="checkbox"/> Against Signal <input type="checkbox"/> No Signal <input type="checkbox"/> Crossing Diagonally <input type="checkbox"/> From Behind Obstruction <input type="checkbox"/> No Crosswalk <input type="checkbox"/> Crosswalk <input type="checkbox"/> Walking W/Traffic <input type="checkbox"/> Other		PEDESTRIAN/PEDESTAL CYCLIST LOCATION (Check 1 or more for each with X) P1 P2 <input type="checkbox"/> Walking Against Traffic <input type="checkbox"/> Standing <input type="checkbox"/> Pushing or Working on Vehicle <input type="checkbox"/> Playing in Road							
Describe what happened - refer to vehicles by number *** SEE ATTACHED NARRATIVE *** Use Diagram/Narrative Sheet for additional information													
PROPERTY INVOLVED Property Type _____ DESCRIPTION OF PROPERTY AND DAMAGE _____ Owner's Name _____ Owner's Address _____ Owner's Zip Code _____ Owner's Telephone _____													
WITNESSES NAME _____ AGE _____ ADDRESS _____ TELEPHONE _____ NONE N/A N/A N/A NONE N/A N/A N/A NONE N/A N/A N/A													
ARRESTS VEHICLE NO. 1 NAME Cody Olachea VIOLATION (COMMON NAME) 66-8-101C Great Bodily Harm by Vehicle ACTION <input checked="" type="checkbox"/> Booked <input type="checkbox"/> Cited <input type="checkbox"/> Pending VEHICLE NO. 1 NAME Cody Olachea VIOLATION (COMMON NAME) 30-31-22D Possession of Schedule II Narcotic (Cocaine) ACTION <input checked="" type="checkbox"/> Booked <input type="checkbox"/> Cited <input type="checkbox"/> Pending VEHICLE NO. 1 NAME Cody Olachea VIOLATION (COMMON NAME) 66-07-104 Obdience to Traffic Controls ACTION <input checked="" type="checkbox"/> Booked <input type="checkbox"/> Cited <input type="checkbox"/> Pending													
Time Notified 0342 Time Arrived 0400 Notified By Dispatch Supervisor at Scene Sgt. Dave Pixton Checked By [Signature] Officer's Signature [Signature] Printed Officers Name Chris Ankean Rank DEPUTY ID No. [Redacted] District 6 Date of Report 12/12/2012													
Crash Report Number 30,056,630 STATE OF NEW MEXICO UNIFORM CRASH REPORT NM Statute 66-7-209 SHEET 2 Case Number 2012-52259 OF 3 SHEETS													

DIAGRAM/NARRATIVE

Use Additional Sheets As Necessary

SYNOPSIS:

On 12/12/2012 at approximately 0342 hours, I, Deputy Chris Ahkeah was dispatched to a two vehicle crash with injuries at the intersection of Main Street and Butler Avenue in Farmington, NM.

INVESTIGATION:

Upon the initial dispatch I was advised by dispatch that one of the vehicles involved was a Farmington Police Department patrol unit. When I arrived on scene I observed a Farmington Police patrol unit was near the northwest intersection of Main Street and Butler Avenue. The police unit (V2) had a New Mexico license plate number of G66628 and it had heavy front end damage. The other vehicle involved was an orange 1999 Mitsubishi which had a New Mexico license plate number of 299RML. The Mitsubishi passenger car (V1) was located in the parking lot of the Kentucky Fried Chicken northwest of the intersection of Main Street and Butler Avenue. V1 had heavy front end damage and heavy passenger and driver side damage. When I arrived I was advised that the driver Cody Olachea (D1) and his front passenger Deseree Trujillo were transported to the hospital. The driver of Farmington Police vehicle Officer Tyler Brown (D2) was also transported to the hospital. I was advised by Farmington Fire Department Firefighters that the firefighters first on scene discovered an open partially consumed bottle of Vodka in the middle console. Firefighters also told me they had to cut the top half of V1's cab to extract the driver and front passenger of V1. Sgt. Dave Pixton made the decision to have a crash reconstruction respond to the crash scene to take over the crash investigation.

After I completed my initial investigation I went to the San Juan Regional Medical Center emergency room and made contact with Farmington Police Officer Tyler Brown (D2). D2 said he was westbound on Main Street and D2 stated the light was green so he continued westbound and entered the intersection. D2 said once he entered the intersection V1 suddenly appeared traveling northbound and he attempted to avoid striking V1 but was unable to. D2 advised me after the crash he pushed the record button on his in car camera and he exited his vehicle and approached V1. D2 informed me he attempted to render aid to the D1 and the front female passenger but they were both unresponsive so he called the medics. D2 told me he was transported in the same ambulance as D1 and according to D2 he heard one of the medics ask D1 what happened and D1 admitted to the medic he had been at a party and he was "fucked up". D2 said the medic asked D1 about being "fucked up" and D1 responded by telling the medic he had took several "shots". I asked D2 if he was wearing his seat belt and he replied "no". I asked D2 how fast he was traveling before the crash and D2 was unable to recall the exact speed his vehicle was traveling prior to the crash. I observed a large laceration on top of D2's head which was bleeding. D2 complained of pain on his right shin, left side of his face and jaw.

I made contact with Farmington Police Officer Shefkan Kennedy who also rode in the ambulance with D1 and D2 and Officer Kennedy advised me he heard one of the medics ask D1 what had happened. Officer Kennedy told me D1 explained to the medics he was at a party and D1 admitted to the medic he was "fucked up". Officer Kennedy advised me D1 explained to the medic he took several "shots" when he was at the party.

I attempted to interview Deseree Trujillo the front passenger of V1 but I was unable to get any statement from her. The only information I was able to get from Ms. Trujillo was her name and date of birth. The emergency room staff advised me the injuries she suffered from the crash was a fractured skull, face, sternum, both ankles, pelvis and her liver was bleeding. According to the firefighters on scene they advised me Ms. Trujillo wasn't wearing her seat belt. I attempted to interview D1 about the crash and before any questioning in reference to the crash, I read D1 his Miranda Rights but he refused to answer any questions. I asked D1 if he suffered any injuries and he said "no". I asked D1 if he was in any pain and he replied "no". I observed dry blood inside of D1's mouth and D1 had a large contusion on his left forehead.

After my interview with D1 I was advised that Deputy Jason Cox was going to conduct a DWI investigation on D1. Deputy Cox advised me D1 refused to submit any blood tests so Deputy Cox got a blood search warrant which was signed and approved by Judge Stanley King. Once the Deputy Cox received the warrant two tubes of blood were drawn from D1's left hand and after D1 was discharged from the hospital Deputy Cox placed D1 under arrest. Deputy Cox and I were both at the jail when a jail guard advised Deputy Cox he found a white powdery substance inside of D1's wallet. Deputy Cox advised me he re-read D1's Miranda Rights and D1 agreed to speak with him. Deputy Cox informed me D1 admitted the white powdery substance was cocaine and D1 received the cocaine at the party. (SEE Deputy Cox DWI Report 2012-52260 for details)

CAUSE:

See Deputy Loomis' Case Supplement Report

ENFORCEMENT ACTION:

Deputy Cox advised me he placed D1 under arrest for 66-8-101C Great Bodily Harm by Vehicle, 30-31-23D Possession of a Schedule II Narcotic (Cocaine) and 66-7-104 Obeyance to Traffic Signals.

INJURIES:

D1 complained of no injuries or pain. The emergency room staff advised me the injuries Ms. Trujillo suffered from the crash was a fractured skull, face, sternum, both ankles, pelvis and her liver was bleeding. I observed a large laceration on top of D2's head which was bleeding. D2 complained of pain on his right shin, left side of his face and jaw.

OTHER PROPERTY INVOLVED: NONE

VEHICLE INVOLVED: V1 and V2 were towed from the scene by Interstate Towing.

CASE STATUS:CRASH REPORT NUMBER:
30,056,630CASE NUMBER:
2012-52259

DIAGRAM DRAWING BY:

MEASUREMENTS TAKEN BY:

Crash Report Number 30,056,630

Case Number 2012-52259

STATE OF NEW MEXICO UNIFORM CRASH REPORT
NM Statute 66-7-209

0

SHEET 3

OF 3 SHEETS

DIAGRAM/NARRATIVE

Use Additional Sheets As Necessary

Synopsis:

I responded to the intersection of Butler and Main in reference to a two vehicle crash with injuries involving a Farmington Police Officer while on duty. All occupants were transported to the hospital prior to my arrival. After processing the scene with the assistance of Martin Snowbarger I conducted follow-up for the case. I spoke with both drivers and also an engineer with the City of Farmington Traffic Division. Based on my investigation I determined that Brown was speeding and Olachea did not stop for a red light.

Investigation:

On Wednesday December 12, 2012 at approximately 0400 hours I received a call from dispatch that there was a two vehicle crash at the intersection of Butler and Main St. in Farmington involving a Farmington Police Officer. Prior to my arrival all occupants of both vehicles had already been transported to the San Juan Regional Medical Center.

The crash occurred at approximately 0342 in the morning. It was dark in the area of the crash with street lights providing some light. The roadway was dry and I did not see any objects that may have contributed to the crash in the road. On Main Street the speed limit is 35 miles per hour. On Butler the speed limit was 35 miles per hour. When I arrived I spoke with Sergeant Dave Pixton who gave me brief explanation of what may have happened. Pixton advised Brown was traveling west bound on Main Street approaching the intersection of Butler. The other vehicle involved was traveling north bound on Butler approaching the intersection of Main St. As the two vehicles arrived at the intersection Brown's vehicle struck vehicle #1 on the right side.

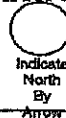
I then began to take photographs of the scene. There was a large amount of car parts and glass that littered the scene. I saw that the police unit (vehicle #2) was at rest partially on top of the curb at the northwest corner of the intersection facing west. Vehicle #1 had come to a rest in the parking lot of Kentucky Fried Chicken near the southeast corner facing north. I saw that both vehicles were heavily damaged. I took photographs of the intersection in all four directions. I took photographs of both vehicles as much as I could while on scene. Then, with the assistance of the Farmington Fire Department, I was able to climb up the ladder on a fire truck and be lifted above the intersection for additional photographs.

I was able to locate the Area of Impact and saw that vehicle #1 was more than likely traveling in the inside lane of the two northbound straight lanes on Butler. Vehicle #2 was traveling in the inside lane of the two westbound lanes on Main Street. I did not find any evidence on the roadway of actions from either driver prior to impact. After vehicle #1 left a short gouge in the road, scrape marks began and led to the west. I did not see where vehicle #2 left any kind of gouge mark or scrapes at the area of impact. After impact I saw that vehicle #2 continued to move west where it finally came to a rest. I then was able to locate other numerous scrape marks that were caused by vehicle #1 as it moved west facing north. I looked further and located where vehicle #1 left four tire marks on the sidewalk that borders the Kentucky Fried Chicken parking lot. I saw where vehicle #1 continued to move toward the west as it moved across two large hedges approximately six feet high. The hedges were broken and bent over but remained standing. Vehicle #1 came to a rest on the other side of the hedges.

I then took photographs of the inside of both vehicles. I saw that the air bag had been deployed in vehicle #2. Knowing that Brown had sustained a cut on his head I looked and saw that the plastic molding to the A pillar was broken. There was also what looked like fatty material on the pivot part of the sun visor and a small piece on the windshield. Brown striking the broken plastic is consistent with the primary direction of force of the impact. I did not take photographs of the undercarriage due to it being so dark.

I then took photographs of vehicle #1. Other than medical and fire personnel removing the roof of the vehicle, the damage was extensive. I saw where the bead portion of the right front wheel had been damaged most likely from sticking the curb as it moved sideways. The right side of the vehicle sustained the most damage as it was concave with the right front tire and wheel bent nearly to the point of being perpendicular to the side of the car. The passenger area of the vehicle had been heavily damaged and ended up low to the ground. I saw that both airbags had been deployed in the vehicle. I did not take photographs of the undercarriage due to it being so dark.

At that time I measured the scene along with all tire marks and the scrapes that were more than likely caused by the undercarriage of vehicle #1. Officer Martin Snowbarger and Officer Keith Herrera operated the total station for the scene measurements. I pointed out what needed to be measured on the roadway.



CRASH REPORT NUMBER:

30056630

CASE NUMBER:

2012-52259

DIAGRAM DRAWING BY:

SNOWBARGER / LOOMIS

MEASUREMENTS TAKEN BY:

SNOWBARGER / LOOMIS / HERRERA

Crash Report Number 30056630

Case Number 2012-52259

STATE OF NEW MEXICO UNIFORM CRASH REPORT
NM Statute 66-7-209

SHEET 1

OF 4 SHEETS

DIAGRAM/NARRATIVE

Use Additional Sheets As Necessary

Before clearing from the scene I removed the video card from Brown's camera system at approximately 0555 hours. The vehicle's ECM was also removed from the vehicle for future investigation.

Sergeant Pixton completed a tow sheet for vehicle #1 and once Interstate Towing arrived on scene I responded to the Farmington Police Department to download the information from the total station.

Snowbarger and I were then able to place all measurements from scene on to a diagram including the vehicles and all the roadway evidence. He printed the diagram along with all measurements and released them to me.

I then responded to the Kirtland Sub Station and met with Deputy Emerson Charley who was able to collect the information from the ECM and release the printouts to me. The time he retrieved the information off the module was 0941 hours. I saw that there was a sheet with speeds what appeared to be time on a line graph. However, Deputy Charley informed me that he has not been trained on deciphering the information from the printouts.

I then responded to the Farmington Police Department and met with Snowbarger. He explained what the printouts meant in general. Snowbarger explained that speeds on the line graph showed in the range of 50 to 55 miles per hour. Another sheet gave numbers on the speeds which were from 51 to 54 miles per hour. The numbers at the bottom of the line graph indicated milliseconds at and before the impact. Another aspect of the line graph showed braking percentage and acceleration. Braking was next to none and acceleration was in the range of 0 to 21 percent.

After leaving the police department, I responded to Interstate Towing for further investigation on vehicle #1. I had the tow truck driver lift the vehicle by a small metal bracket on the front. I was able to take photographs of several locations on the frame and other parts of the under carriage that had heavy scraping that was consistent with the roadway evidence at the scene. Behind the right front wheel I saw scrapes on the frame. Due to the fact that the right front wheel area took a large brunt of the impact, the frame scrapes were consistent with the scrapes on the roadway near the area of impact. I examined both the driver and passenger seatbelts. They both had signs of stretching and unevenness. I determined that both the driver and passenger were wearing their seatbelts.

I then responded to the Municipal Operation Center in Farmington where Brown's unit was taken. I also found unevenness and stretching on his seatbelt. I determined that he had been wearing his seatbelt. I did not find any evidence on the undercarriage that indicated it made contact with the roadway on scene.

On this date, December 14 2012, I responded to the Municipal Operations Center in Farmington with Snowbarger and we were able to remove the Air Bag Control Module. After retrieving the module I followed Officer Snowbarger to the Farmington Police Department. There Snowbarger downloaded the information and gave me a copy of the data. Snowbarger pointed out where the data showed speeds of negative 33 miles per hour. Snowbarger explained briefly that the numbers did not mean that the actual speed at the time of the crash was 33 miles per hour. He explained with other numbers involved with the crash and the negative 33, the actual speed could be calculated. Snowbarger advised the data showed that Officer Brown was not wearing his seatbelt.

As mentioned above Officer Brown's seatbelt showed evidence of stretching and unevenness. Due to this fact I asked Snowbarger if he could make in inquiry into vehicle #2 history. Information was that the vehicle had received repairs in the past. It was possible that the previous incident in which the vehicle sustained damage, could have caused the stretching to seatbelt.

Driver #1 Statement: Cody Olechea

I then learned that the driver of vehicle #1, Cody Olachea, had bonded out of jail after being arrested on charges related to this case. I was able to locate Olechea at the San Juan Regional Medical Center. At 1438 hours I explained his Miranda Rights and he agreed to speak with me. He stated he was coming from his house with a friend by the name of Desiree. He was going to a friend's house who lives on Butler near the area of the strip mall. As he was traveling north on Butler he was almost sure he was in the outside lane. As he drove north he didn't see any traffic on the roadway. Due to the fact that he knew the light wasn't red he proceeded through the intersection without stopping. Olachea stated he didn't think the light was green either. He stated he looked directly at the light and saw that it wasn't red but wasn't sure what it was. He mentioned that it may have been flashing yellow.

CRASH REPORT NUMBER
30056630CASE NUMBER
2012-52259DIAGRAM DRAWN BY:
SNOWBARGER/LOOMISMEASUREMENTS TAKEN BY:
SNOWBARGER/LOOMIS/HEIKEL

Crash Report Number 30056630
Case Number 2012-52259

STATE OF NEW MEXICO UNIFORM CRASH REPORT

SHEET 2
OF 4 SHEETS

DIAGRAM/NARRATIVE

Use Additional Sheets As Necessary

I asked Olachea if he remembered anything else and he stated he didn't remember being hit by the other vehicle. He stated all of a sudden he was in the hospital. Olachea also stated that he didn't think he was traveling over the speed limit and advised the speed limit was 35 miles per hour.

While speaking with Olachea I took photographs of his injuries.

Witness Statement: Dan Anglin

On this date, 12-13-2012 at approximately 0900 hours I responded to the City of Farmington Traffic Division and spoke with Dan Anglin. I asked him about the traffic light operation at the time and location of the crash. He informed me that during the early hours of the morning when there is little to no traffic at that intersection the lights go into what's called a "rest" mode. This means that the lights for east and west bound traffic on Main St. stay green and the lights for north and south bound traffic on Butler stay red. This is the case until a vehicle approaches the intersection on Butler. Dan explained that there is a sensor approximately one vehicle length from the stop bar. Until a vehicle crosses over the sensor the light stays red for Butler. Once the sensor is activated the light cycle begins. He advised the time it takes for the light to turn yellow on Main St. then to red then green for Butler, is about 3-5 1/4 seconds. I asked Dan if it at any time would the light sense a vehicle when its red far enough back that would allow that vehicle to remain in motion without stopping before it got to the intersection and the light turn green. He again reiterated that the sensor only picks up a vehicle approximately one vehicle length from the stop bar. I asked Dan if there was a chance that the light was green for west bound traffic on Main Street and northbound traffic on Butler. He explained that there would have to be some sort of glitch or problem with the system. He explained that if that were to happen, the light would only be green both ways for one tenth of a second then they would both flash red. Also when this happens the system sends him an email on the problem so that it can be fixed. He did not receive any emails that anything was wrong.

Driver #2 Statement: Officer Tyler Brown

I was also able to get a hold of Officer Brown on this date, for a statement. He stated he was traveling west on Main Street from the east end of Farmington. As he approached the intersection he didn't see any other cars on the roadway coming toward him or from the side streets. He looked at the light and saw that it was green so he proceeded. The only time he saw vehicle #1 was a split second before impact. Brown stated he did not have any time to react to the impact. I asked Brown how fast he thought me may have been traveling and he stated approximately 50 miles per hour.

Due to the fact that the crash occurred at approximately 0342 hours, and both drivers stating that they didn't see any other traffic on the roadway, it is evidence that the traffic signals were in the "rest" mode.

With the information from the ACM I re-contacted Officer Brown. I explained the situation and asked him if he remembers if he had his seatbelt on or not. Brown advised he didn't think he had it on.

Cause:

With Olachea's statements that he did not see any traffic on the roadway, not being sure what color the light was, and not stopping before proceeding through the intersection. Also with the information from Dan Anglin, it is evident that the cause in this crash is Olachea Failing to Obey Traffic Signals(not stopping for the red light).

Enforcement Action:

Due to Brown's statement that he believed he was traveling approximately 50 miles per hour at the time of the crash, and the reliable information from the computer module and also with reliable information from the Airbag Control Module, I will issue Brown a citation for Speeding 51 miles per hour in a 35 mile per hour zone after taking into account the 4 percent margin of error. I will also issue a citation for Seatbelt.

Vehicle Damage:

See original crash report and above narrative.

Injuries:

Driver #1, Olachea sustained numerous bumps and abrasions to his head, upper body and legs. He was treated and released before he was booked. Passenger in vehicle #1 sustained numerous broken bones, a head injury and an

Indicate
North
By
Arrow

Crash Report Number 30056630
Case Number 2012-52259

STATE OF NEW MEXICO UNIFORM CRASH REPORT

SHEET 3
OF 4 SHEETS

CRASH REPORT NUMBER
30056630CASE NUMBER
2012-52259DIAGRAM DRAWN BY:
SNOWBAKER/LOOMESMEASUREMENTS TAKEN BY:
SNOWBAKER/LOOMES/HILLER

DIAGRAM/NARRATIVE

Use Additional Sheets As Necessary

injury to her liver. As of this date, 12-14-2012 the passenger in vehicle #1 is listed in "guarded" condition and is out of ICU. Driver #2 sustained a cut on the top of his head that required 10 staples. He was also treated and released.

Evidence:

On 12-13-2012 I entered the two CD's with case photographs into evidence along with the Total Station diagram and measurements, the printed copies of the PCM data into locker #9 at the Lee Acres Sub Station. On this date I entered the hard copies of the ACM data into evidence at the Kirtland Sub Station into locker #3 at approximately 1335 hours.

Case Status:

Pending.

[Handwritten signature] 2232

[Faint, illegible stamp]

CRASH REPORT NUMBER
30056630

CASE NUMBER

2012-52259

DIAGRAM DRAWN BY:

SNOWBARKER / LOOMIS

MEASUREMENTS TAKEN BY:

SNOWBARKER / LOOMIS / HEARER



Crash Report Number 30056630
Case Number 2012-52259

STATE OF NEW MEXICO UNIFORM CRASH REPORT

SHEET 4
OF 4 SHEETS

SAN JUAN COUNTY SHERIFFS DEPARTMENT		Incident Date: 12/12/2012 Location: E. Main St and Butler Ave	Case Number 2012-52259
Drawn By C. LOOMIS	Date Drawn 12/12/2012		Scale Not to scale

w/ MARTIN SNOWBARTER
ACU # P232

San Juan County



Sheriff's Office

Vehicle Towing Authorization & Inventory

Case # 12-52259Date: 12/12/12 Time: 6:19 AM PMI hereby direct INTERSTATE TOWING (Tow Company) Telephone: (505) 505-3200/465Address: 2517 SAN JUAN BLVD (Street Address) (City, State, ZIP) MAIN ST & BUTLER to remove from

(Location) the vehicle listed below for:

(Reason) ACCIDENT w/ INJURY

You are further instructed to:

- ☐ **HOLD** - Contact deputy before releasing
☒ Release vehicle upon proof of ownership

VEHICLE OWNER

Name: COOY OLACHEA Telephone: ()

DOB: [REDACTED] OLN: [REDACTED]

Address: [REDACTED] FARMINGTON NM 87409 (Street Address) (City, State, ZIP)Owner Notified at Scene? ☒ Yes By: FIXTON ☐ No
Owner to Be Notified by Records Division? ☐ Yes By: Y Date: 12/12/12 ☐ No

DRIVER

☐ Vehicle's Owner (Identified Above)☐ Other - Name: COOY OLACHEA

Address: [REDACTED]

City, State, ZIP: FARMINGTON NM

DOB: [REDACTED]

OLN: [REDACTED]

DEPUTY

Printed Name & R#: FIXTONSignature: [Signature]

TOW OPERATOR

Printed Name: LEON B. [Signature]Signature: [Signature]

VEHICLE DESCRIPTION

Model Year: 99 Make: MITSUBISHI Model & Body Style: 2D Color: GoldLicense Year: 08/13 License State: NM License #: 279-PML VIN: J1334Y11A4XU027732Vehicle Damage (if any): HEAVY VEHICLE DAMAGE
ROOF AND DOOR REMOVED.

VEHICLE CONTENTS & ACCESSORIES

Yes	No	Yes	No	Yes	No	Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Keys in Vehicle?		CD Player?		Chrome Wheels?		Spare Tire?	
AM/FM Radio?		Aux. Lights?		Lug Wrench?		Jack?	
Cassette Player?		Trailer Hitch?		Tool Box?			

Other Contents/Equipment: MISC ITEMS NO VALUE 1 BOTTLE OF VODKA
ROOF AND DOOR REMOVED BY EMS

NOTICE: No vehicle impounded by the San Juan County Sheriff's Office will be released from storage until the owner or agent produces satisfactory proof of ownership in the form of title or registration certificate, regardless of the original reason for towing.

OWNER: Record any missing or damaged items on the back of this form and contact the San Juan County Sheriff's Office immediately at 505.334.6107 or (outside of business hours) 505.334.6622.

Distribution: White - Owner/Driver

Pink - Records

Yellow - Tow Company

MCCOY
C/FSAN JUAN COUNTY SHERIFF
211 S. OLIVER, AZTEC NM 87410Date: 12/13/2012
User: COPONITIJ
Page: 1Case Description:
Great Bodily Harm

Case Number: 2012-00052260

Primary Victim: TRUJILLO, DESEREE,,

Date/Time Reported: 12/12/12 6:14 Hrs. Dispatch Incident Type:
 Date/Time Occurred: 12/12/12 3:42 Hrs. Dwi
 Date/Time Between : 12/12/12 10:43 Hrs.
 Location Occurred : N BUTLER AV
 Cross Street . . : E MAIN ST
 Area: FM2 Section: 201 Grid:

Reporting Officer : S287 COX, JASON, SCOTT,
 Primary Unit Assigned to Investigate: SO
 Scene Processed by: S287 COX, JASON, SCOTT,
 Assigned Investigators:
 12/13/12 S529 MCCOY, TERRY, E,
 Significant Event: No

Case Status: Ref/Detect Disposition: Invest AR Disp. Date: 12/12/12

No. of Offenses: 3 No. of Offenders: 1 No. of Victims: 1

CASE MODUS OPERANDI

Vehicular Negligence

Offense Number: 1 Attempted/Committed : Committed
 Crime Code: 0013M GREAT BODILY INJURY BY VEHICLE
 Statute . . : 66-8-101C
 Stat Desc : GREAT BODILY INJURY BY VEHICLE
 Location Type . : Street/Hwy Criminal Activity . :
 # Adults Present: 3 # Juveniles Present :
 Alcohol Related : Yes Drug Related . . . : Yes
 Domestic Crime : Not Domestic Hate Crime . . . : No Bias NA
 Computer Related: No Just. Homicide Code :
 Statute ORI/Group . : S Agg Aslt/Homc Crmst:
 Counts : 001 Larceny/Theft Offense:
 Offense Date . . . : 12/12/2012 Victim Drug Related : No
 Victim Alchl Related: Yes Victim Comp Related : No
 Abandoned Structure : NO Property Damage . .
 UCR Return A . . . : AsltOthWep UCR Stolen Property :
 Gang Related . . . : No Additional Subcode :

Offense Number: 2 Attempted/Committed : Committed
 Crime Code: 00350 DRUG/NARCOTIC VIOLATION
 Statute . . : 30-31-23
 Stat Desc : FEL-COCAINE/OPIUM-POSSESSION
 Location Type . : Street/Hwy Criminal Activity . :
 # Adults Present: 3 # Juveniles Present :
 Alcohol Related : Yes Drug Related . . . : Yes

SAN JUAN COUNTY SHERIFF
211 S. OLIVER, AZTEC NM 87410

Date: 12/13/2012

User: COPONITIJ

Page: 2

Case Description:
Great Bodily Harm

Case Number: 2012-00052260

Domestic Crime : Not Domestic	Hate Crime : No Bias NA
Computer Related: No	Just. Homicide Code :
Statute ORI/Group . : S	Agg Aslt/Homc Crmst:
Counts : 001	Larceny/Theft Offnse:
NCIC Code : Coke-Posse	Scene/Location Type2:
Offense Date : 12/12/2012	Victim Drug Related : No
Victim Alchl Related: Yes	Victim Comp Related : No
Abandoned Structure : NO	Property Damage . .
Gang Related : No	Additional Subcode :

Offense Number: 3	Attempted/Committed : Committed
Crime Code: 00030 TRAFFIC OFFENSE	
Statute . : 66-7-104	
Stat Desc : OBEDIENCE OF REQUIRED TRAFFIC CONTROL DEVICES	
Location Type . : Street/Hwy	Criminal Activity . :
# Adults Present: 3	# Juveniles Present :
Alcohol Related : Yes	Drug Related : Yes
Domestic Crime : Not Domestic	Hate Crime : No Bias NA
Computer Related: No	Just. Homicide Code :
Statute ORI/Group . : S	Agg Aslt/Homc Crmst:
Counts : 001	Larceny/Theft Offnse:
Offense Date : 12/12/2012	Victim Drug Related : No
Victim Alchl Related: Yes	Victim Comp Related : No
Abandoned Structure : NO	Property Damage . .
Gang Related : No	Additional Subcode :

SUBJECTS:

Arrestee . : Present Information

Primary OLACHEA, CODY, .

Phone:

Arrested [REDACTED]

FARMINGTON

NM

87401-

AKA:

OLACHEA, CODY, L,
OLACHEA, CODY, LEE,
OLCHEA, CODY, ,

Alias/AKA
Alias/AKA
Alias/AKA

Race : Hispanic Sex: Male

D.O.B: [REDACTED] Age: 25

Hgt : 5'04" Wgt: 175 Hair: Brown

Age at Occurrence : 25

Dr Lic #: [REDACTED]

Eyes . . : Brown

St: NM Soc Sec #: [REDACTED]

Other ID Numbers :

FBI FBI

Number : 499936RC2

Additional Contact Information:

CellPhone# 03/23/07 [REDACTED]

Residence Type : County

Residence Status : County

Statement Type : Verbal

Related Offenses : 1 2 3

SAN JUAN COUNTY SHERIFF
211 S. OLIVER, AZTEC NM 87410Date: 12/13/2012
User: COPONITIJ
Page: 3Case Description:
Great Bodily Harm

Case Number: 2012-00052260

Arrest Information:

Arrest Date/Time : 12/12/12 3:42 Hrs. Arrest Type . : CrimeProgr
Arresting Officer: COX,JASON,SCOTT,

Age at Arrest . : 25
Influence of Alcohol: Yes Influence of Drug . : Yes
Charge Number: 001 Attempted/Committed : Committed
Crime Code: 00030 TRAFFIC OFFENSE
Statute . : 66-8-101C
Stat Desc : GREAT BODILY INJURY BY VEHICLE
Domestic Violence . : Not Domestic
Charge Number: 002 Attempted/Committed : Committed
Crime Code: 00350 DRUG/NARCOTIC VIOLATION
Statute . : 30-31-23
Stat Desc : FEL-COCAINE/OPIUM-POSSESSION
Domestic Violence . : Not Domestic
Charge Number: 003 Attempted/Committed : Committed
Crime Code: 00030 TRAFFIC OFFENSE
Statute . : 66-7-104
Stat Desc : OBEDIENCE OF REQUIRED TRAFFIC CONTROL DEVICES
Domestic Violence . : Not Domestic

Victim . . : Present Information

Primary TRUJILLO,DESEREE,
[REDACTED]
FARMINGTON NM 87401-
Phone:

Race : Hispanic Sex: Female D.O.B: [REDACTED] Age: 21
Age at Occurrence : 21
Hgt : 5'03" Wgt: 113 Hair: Brown Eyes . . : Brown
Dr Lic #: [REDACTED] St: NM Soc Sec #: [REDACTED]
Residence Type : County Residence Status : County
Statement Type : None Related Offenses : 1 2 3

VICTIM OFFENDER RELATIONSHIPS:
OLACHEA,CODY,,

Unknown

Witness . . : Present Information

Primary BROWN,TYLER,,
[REDACTED]
FARMINGTON NM 87401-
Phone: [REDACTED]

Race : Sex: Male D.O.B: Age:
Dr Lic #: St: Soc Sec #: 000-00-0000
Residence Type : County Residence Status : County
Statement Type : Verbal Related Offenses : 1 2 3

Suspect Vehicle:

Vehicle Year: 1999
Description : PASSENGER CAR
Make . . . : MITSUBISHI Model : Style . : 2 Door

SAN JUAN COUNTY SHERIFF
211 S. OLIVER, AZTEC NM 87410

Date: 12/13/2012
User: COPONITIJ
Page: 4

Case Description:
Great Bodily Harm

Case Number: 2012-00052260

Color Top . : Orange Bottom: Interior:
License # . : 299RML State : NM Year: 0 Type: Passenger
Serial #/VIN: JA3AY11A4XU027732 OAN . . :
Vehicle Type: Automobile Engine #:
Reported . : 12/12/12 3:42 Hrs. Venue . :

Property:

Item Number . : 1 Subject #: Subject Type:
Property Code : Evidence Property Type : Misc
Date Received : 12/12/12 Initial Value : .00
Date Recovered: Recovered Value: .00
RFOJ?: N Notify Owner Date: Notified How?:
Prp Loc . . . : Bin : Disp/Date:

Year/Desc . : 0000 DWI BLOOD KIT WITH BLOOD SAMPLE OF CODY OLACHEA
Quantity . : 1.000 EA Model/Style:
Registratn# : State : Expires :

Property:

Item Number . : 2 Subject #: Subject Type:
Property Code : Evidence Property Type : DRUG/NARCS
Date Received : 12/12/12 Initial Value : .00
Date Recovered: Recovered Value: .00
RFOJ?: N Notify Owner Date: Notified How?:
Prp Loc . . . : Bin : Disp/Date:

Year/Desc . : 0000 2 G/ 0.1 OZ COCAINE IN PLASTIC
Quantity . : 2.000 GM Model/Style:
Registratn# : State : Expires :

Property:

Item Number . : 3 Subject #: Subject Type:
Property Code : Evidence Property Type : DRUG/NARCS
Date Received : 12/12/12 Initial Value : .00
Date Recovered: Recovered Value: .00
RFOJ?: N Notify Owner Date: Notified How?:
Prp Loc . . . : Bin : Disp/Date:

Year/Desc . : 0000 1G/ 0.1 OZ OF COCAINE
Quantity . : 1.000 GM Model/Style:
Registratn# : State : Expires :

Dispatch Narrative

Information on the units assigned to the call follows.

Unit: 1118 Radio: Ofcr 1: S287 Ofcr 2:
DSP: : ARV: 12/12/12 06:14 CLR: 12/12/12 10:43
4106 WAS INVOLVED IN A 10-44 HIT AND RUN UNK DOT DOUGLASC 3:43:13
NEED 55 DOUGLASC 3:43:25
4106 HAVE UNITS SLOW DOWN DOUGLASC 3:43:40
4104 DIRECT DOUGLASC 3:43:57
4106 KEEP 55 CODE DOUGLASC 3:44:16
4108 WE HAVE 4106 HAS LACERATION TO THE TOP OF DOUGLASC 3:44:31
HIS HEAD DOUGLASC 3:44:32

SAN JUAN COUNTY SHERIFF
211 S. OLIVER, AZTEC NM 87410

Date: 12/13/2012

User: COPONITIJ

Page: 5

Case Description:
Great Bodily Harm

Case Number: 2012-00052260

2 OTHER SUBJS IN PC NOT RESPONDING IN THE	DOUGLASC	3:44:45
PARKING LOT OF KFC	DOUGLASC	3:44:48
4104 DIRECT	DOUGLASC	3:44:51
299RML/NM PER 4108	DOUGLASC	3:44:58
4108 THEY APPEAR TO BE BREATHING BUT NOT	DOUGLASC	3:45:28
RESPONDING OR MOVING	DOUGLASC	3:45:30
NRW	DOUGLASC	3:45:36
UNIT: 4107 BUTLER/APACHE		3:46:05
PER 4134, SEE IF ANY SO UNITS CAN COME INTO	FRANCISCOP	3:46:06
FMTON TO ASSIST	FRANCISCOP	3:46:09
4107 OUT AT BUTLER/APACHE DIVERTING ALL SB	DOUGLASC	3:46:15
TRAFFIC	DOUGLASC	3:46:16
4105 BLOCKING TRAFFIC ON MAIN ONTO N BUTLER	DOUGLASC	3:46:33
UNIT: 4105 BUTLER/MAIN		3:46:38
FBC1/2 VEH HEAVY DAMAGE 1 VEH IN THE	DAVISM	3:47:32
PARKING LOT OF KFC	DAVISM	3:47:44
4105 WE HAVE ANOTHER UNIT WB ON MAIN FROM BUTLER	DOUGLASC	3:48:17
M1/NEED EXTRICATION HEAVY DAMAGE	DAVISM	3:48:23
4104//HAVE 1 OF THE SO UNITS RESPOND TO SAN	DOUGLASC	3:50:00
JUAN/BUTLER TO DIVERT TRAFFIC	DOUGLASC	3:50:05
1106 41 FROM KIRTLAND	MCFALLG	3:50:41
CALLING GREG NOEL 327 7162	FRANCISCOP	3:51:45
LAST INFO WRONG LINE	FRANCISCOP	3:52:02
M5/1 RED 1 YELLOW 1 GREEN	DAVISM	3:54:23
TRAMA ALERT 1 ON THE RED PT	DAVISM	3:54:30
NOTIFIED ER	DAVISM	3:55:47
4104//22 SO UNIT AT SAN JUAN/BUTLER	DOUGLASC	3:56:31
4108 IS 41 WITH THE 55	DOUGLASC	3:56:56
REQ RECON	MCFALLG	4:01:54
COMMAND/ALL ARE EXTRICATED WILL BE	DAVISM	4:02:58
TRANSPORTING SHORTLY	DAVISM	4:02:59
CONTACTED DEPUTY LOOMIS FOR ACCIDENT RECON ANDHE	MCFALLG	4:07:35
WILL BE 41 SHORTLY	MCFALLG	4:07:40
UNIT: 1118 41 SJRMC		4:08:13
UNIT: 4104 41 ER		4:14:30
UNIT: 4108 ER		4:16:36
UNIT: 4104 ER		4:16:36
UNIT: 4106 ER		4:16:36
1101 HAVE DET MCCOY BE 41 W/ LOOMIS	ALBERTJ	4:17:27
4108//NEED UNIT THAT IS TAKING A REPORT CALL ME	DOUGLASC	4:23:32
4105//DIRECT	DOUGLASC	4:23:41
4105 COUNTY IS TAKING REPORT	DOUGLASC	4:24:02
UNIT: 4510 81		4:48:00
State/NCIC Request: Number: 5672991 Type: KQ	12/12/2012	04:49:41
ANGELINA REEVES DOB 12/9/76	FRANCISCOP	4:50:23
UNIT: 4510 41 SCENE		5:01:20
UNIT: 4510 SCENE		5:03:55
UNIT: 1106 41 ER		5:08:46
UNIT: 1106 ER		5:12:59
UNIT: 4104 19		5:13:15
UNIT: 4104 81		5:17:28
State/NCIC Request: Number: 5672995 Type: KQ	12/12/2012	05:18:58

SAN JUAN COUNTY SHERIFF
211 S. OLIVER, AZTEC NM 87410

Date: 12/13/2012

User: COPONITIJ

Page: 6

Case Description:
Great Bodily Harm

Case Number: 2012-00052260

Addtl Name: TRUJILLO, DESEREE 12 3 1991	ALBERTJ	5:21:55
State/NCIC Request: Number: 5673001 Type: KQ	12/12/2012	05:33:15
State/NCIC Request: Number: 5673007 Type: RQ	12/12/2012	05:43:05
UNIT: 4104 41 ER		5:57:11
UNIT: 4104 ER		6:00:37
UNIT: 1118 ER		6:14:54
Addtl Name: OLACHEA, CODY DOB 01 22 87	DOUGLASC	6:18:41
CALLING ANIMAS TOWING	DOUGLASC	6:21:06
ANIMAS TOWING DOES NOT HAVE A FLAT BED AVAIL	DOUGLASC	6:21:45
CALLING INTERSTATE TOWING	DOUGLASC	6:21:53
ETA 20MINS	DOUGLASC	6:23:03
4510 CALL FOR A SWEEPER/ SHOULD OPEN UP BOTH	DOUGLASC	6:55:09
LANES HERE PRETTY QUICK	DOUGLASC	6:55:11
STREETS ADV	HARRISK	6:56:18
UNIT: 1118 41 CDC MALE 10-15		6:56:42
UNIT: 1118 CDC		7:06:22
1201/ 10-8	CHAVEZKI	7:10:15
4510 CHECK WITH SO SUPERVISOR ON SCENE AND SEE	CORNELISON	7:12:08
WHAT WE STILL NEED TO BLOCK	CORNELISON	7:12:11
1208/ UNIT AT APACHE/BUTLER CAN MOVE DOWN BUTLER	CHAVEZKI	7:14:58
UNTIL DEBRIS IS PICKED UP	CHAVEZKI	7:15:03
4107 ADV THEY DON'T NEED ME IM 10-8	CORNELISON	7:20:57
1101/ 10-8	CHAVEZKI	7:28:52
UNIT: 1118 10-19		9:29:44
1118/10-8 47 REPORT	CHAVEZKI	10:43:00

ORIG; S287 COX, SJ; 12/12/12 JC

CASE #: 2012-52260

OFFICER NAME: S. J. COX

OFFICER R#: 287

HIGHEST CHARGE: GREAT BODILY HARM BY VEHICLE

Synopsis:

On December 12, 2012, at 0342 hrs. deputies responded to a two vehicle crash involving an orange passenger car that was struck by a Farmington Police Vehicle at the intersection of Main and Butler. After my investigation, I arrested Cody Olachea and charged him with Great Bodily Harm by Vehicle, Possession of a Controlled Substance, and Obedience to a Traffic Control Device.

Investigation:

Officer Brown with the Farmington Police Department stated to Deputy Ahkeah that he was traveling west on Main and he had a green light at the intersection so he proceeded through it. As he entered the intersection, he observed an orange passenger car going north on Butler. The light for north bound traffic was red but the vehicle didn't stop and it entered the intersection in front of Officer Brown. Officer Brown couldn't avoid the car and his vehicle struck the passenger side of the orange car.

After the collision, Officer Brown began to render aid to the occupants of the car. The driver, Cody Olachea, and the passenger, Desaree Trujillo, were unconscious and had to be extracted by fire

SAN JUAN COUNTY SHERIFF
211 S. OLIVER, AZTEC NM 87410

Date: 12/13/2012
User: COPONITIJ
Page: 7

Case Description:
Great Bodily Harm

Case Number: 2012-00052260

personnel. When Mr. Olachea was removed from the car, he was put into an ambulance. Officer Brown, with minor injuries, was placed into the same ambulance and both were transported to the hospital. While in the ambulance, Officer Brown overheard Mr. Olachea tell medics that he was at a party earlier and he got fucked up. Sergeant Pixton, who responded to the crash, observed a bottle of vodka in the front of the car. It was unclear if the bottle had been opened before the crash, however, there was fluid inside the bottle.

At the hospital, I Mirandized Mr. Olachea and asked him about the crash but he refused to answer my questions. When he did speak, I could smell the odor of an alcoholic beverage on his breath and he had bloodshot, watery eyes and slurred speech. I read him the Implied Consent Act at 0532 and asked him if he would consent to a blood draw but he refused. I completed a Search Warrant for blood and it was signed by Judge King. Blood was drawn at 0635 by Nurse Amanda Kline.

After Mr. Olachea was treated at the hospital, I took him into custody. I placed him in handcuffs behind his back and I checked that they weren't too tight by slipping a finger between the cuff and his wrists.

I was given Mr. Olachea's property at the hospital, which consisted of his pants, shoes, cell phone and his wallet. I took Mr. Olachea into custody and booked him into the jail. Once there, his property was searched by Officer Hogue, who found two small pieces of plastic that were rolled up and in a pocket in his wallet. Inside each piece of plastic, there was a white powdery substance.

Interview with the suspect, Cody Olachea:

I Mirandized Mr. Olachea again and asked him what the substance was. He told me that it was cocaine that he obtained before the party he attended. I asked him how much alcohol he had consumed and he said he didn't know.

Injuries:

The doctor who treated Desaree Trujillo stated to me that she had a fractured skull, several facial fractures, a fractured sternum, both of her ankles were fractured, her liver was bleeding, and she had a pelvic fracture. During my investigation she was unconscious and unable to answer my questions.

Mr. Olachea had several lacerations and scrapes on his face and a minor injury to his right hand. Officer Brown had a visible laceration to his head.

Evidence:

The white powdery substance found in Mr. Olachea's wallet was in two small pieces of plastic, the type of plastic used for disposable shopping bags. I tested the powder in each plastic wrap and both tested positive for cocaine. Next, I weighed the cocaine in the plastic and one weighed 2G/ 0.1 oz, and the other weighed 1G/ 0.1 oz.

I logged the DWI blood kit and two bags of cocaine into evidence at the Aztec Office and placed them into locker #11.

SAN JUAN COUNTY SHERIFF
211 S. OLIVER, AZTEC NM 87410

Date: 12/13/2012

User: COPONITIJ

Page: 8

Case Number: 2012-00052260

Case Description:
Great Bodily Harm

Vehicle Involved:

The vehicle involved was an orange Mitsubishi passenger car bearing NM plate 299RML. It was heavily damaged in the crash and was towed by Interstate Towing.

Property Damage:

See the crash report by Deputy Ahkeah 12-52259.

Action Taken:

Cody Olachea was arrested at the hospital and charged with Great Bodily Harm by Vehicle, Possession of a Controlled Substance, and Obedience to a Traffic Control Device. I completed a Blue Sheet and turned it in with my search warrant for blood and the arrest paperwork.

Case Status:

Referred to the Detective Division.

Approved by Sgt. Pixton 12/13/12

DATE 12/13/2012
TIME 10:24:28

INCIDENT REPORT

PL1190
BAGLEYD

INCIDENT #: 2012-00052259 ORI #: SanJuanSO INCIDENT TYPE: TAI P Injury ACC

LOCATION : N BUTLER AV
CROSS STREET : E MAIN ST
NATURE OF CALL:

VENUE: Farmington

DATE: TIME:
CALL : 12/12/2012 3:42:33 Wednesday
DISPATCH : 12/12/2012 3:46:45
ENROUTE : 12/12/2012 3:47:20
ARRIVE 1 : 12/12/2012 3:59:59
CLEAR : 12/12/2012 12:57:59

AREA : FM2 SECTION : 201 BEAT: D5
QUADRANT: 154 DISTRICT: M1 GRID:

UNIT 1 #: 1118 ID # 1: COX, SCOTT,, ID # 2:
UNIT 2 #: 1106 ID # 3: AHKEAH, CHRISTOPHER,, ID # 4:

RECEIVED ORI/ID/TERM : SJCCA DOUGLAS, CARISSA,, DI18
DISPATCH ORI/ID/TERM : SJCCA DOUGLAS, CARISSA,,
CLEARING ORI/ID/TERM : SJCCA REYNOSO, JENNY,, DI24
DISPATCH SHIFT : Graves
SOURCE : On Patrol REPORT REQUIRED: YES MUTUAL AID:
DISPOSITION : Report PRIORITY : 1

ORIGINAL INFORMATION:

LOCATION : BUTLER VENUE: Farmington
CROSS ST : MAIN
INCD TYPE: TA P Traff Acc PRIORITY: 2

STATUS/DISPOSITIONS:

DISPOSITION: UNIT: DATE: TIME: ID # 1: / ID # 2:
Report 12/12/2012 12:59:08
See Supple 1208 12/12/2012 12:57:59 LOOMIS, CARLOS, J,
No Report S579 12/12/2012 10:34:35 BLAU, JED,,
No Report 1101 12/12/2012 7:28:55 PIXTON, DAVID,,
No Report 1201 12/12/2012 7:10:32 WILCOX, MATTHEW, E,
Report 1106 12/12/2012 6:59:16 AHKEAH, CHRISTOPHER,,

RADIO LOG:

UNIT: TYPE: STATUS: DISPATCH: ARRIVE: CLEAR: ID # 1:
Chg Plate 3:45:10
UNIT NOTE: Plate Added: 299RML NM
Chg Plate 3:45:29
UNIT NOTE: Plate Added: 299RML NM
Chg Plate 6:20:32
UNIT NOTE: Plate Added: G66628 NM
4106 PAT Creat Incd 3:42:33 BROWN, TYLER,,
4105 PAT Dispatch 3:42:56 HILL, JEREMY,,
4105 PAT En Route 3:42:56 HILL, JEREMY,,
4108 PAT Arrive 3:43:19 KENNEDY, SHEFDAN,,
4104 SGT Dispatch 3:44:01 VEITH, MATT,,

DATE 12/13/2012
TIME 10:24:28

INCIDENT REPORT

PAGE
PL1190
BAGLEYD

4104	SGT	En Route	3:44:01		VEITH, MATT,,
4105	PAT	Arrive		3:45:46	HILL, JEREMY,,
4107	PAT	Arrive		3:46:01	URBIK, DANIEL,,
4107	PAT	Secd Loc		3:46:05	URBIK, DANIEL,,
		SCND LOCN: BUTLER/APACHE			
4105	PAT	Secd Loc		3:46:38	HILL, JEREMY,,
		SCND LOCN: BUTLER/MAIN			
1101	SGT	Dispatch	3:46:45		PIXTON, DAVID,,
1101	SGT	En Route	3:47:20		PIXTON, DAVID,,
4K49	K-9	Arrive		3:48:29	SMITH, TAMARA,,
1106	PAT	Dispatch	3:48:59		AHKEAH, CHRISTOPHER,
4104	SGT	Arrive		3:49:27	VEITH, MATT,,
1106	PAT	En Route	3:49:33		AHKEAH, CHRISTOPHER,
1101	SGT	Arrive		3:59:59	PIXTON, DAVID,,
4134	CORP	Arrive		4:01:21	BYERS, CHAD,,
1101	SGT	Unit Time		4:01:41	PIXTON, DAVID,,
		UNIT NOTE: Reset Unit timer for: 30 minutes			
4K49	K-9	Unit Time		4:01:41	SMITH, TAMARA,,
		UNIT NOTE: Reset Unit timer for: 30 minutes			
4104	SGT	Unit Time		4:01:41	VEITH, MATT,,
		UNIT NOTE: Reset Unit timer for: 30 minutes			
4105	PAT	Unit Time		4:01:41	HILL, JEREMY,,
		SCND LOCN: BUTLER/MAIN			
		UNIT NOTE: Reset Unit timer for: 30 minutes			
4106	PAT	Unit Time		4:01:41	BROWN, TYLER,,
		UNIT NOTE: Reset Unit timer for: 30 minutes			
4107	PAT	Unit Time		4:01:41	URBIK, DANIEL,,
		SCND LOCN: BUTLER/APACHE			
		UNIT NOTE: Reset Unit timer for: 30 minutes			
4108	PAT	Unit Time		4:01:41	KENNEDY, SHEFDAN,,
		UNIT NOTE: Reset Unit timer for: 30 minutes			
4134	CORP	Unit Time		4:01:41	BYERS, CHAD,,
		UNIT NOTE: Reset Unit timer for: 30 minutes			
1106	PAT	Arrive		4:03:45	AHKEAH, CHRISTOPHER,
1118	PAT	Dispatch	4:08:05		COX, SCOTT,,
1118	PAT	En Route	4:08:08		COX, SCOTT,,
1118	PAT	Secd Loc	4:08:13		COX, SCOTT,,
		SCND LOCN: 41 SJRMC			
4104	SGT	Secd Loc		4:14:30	VEITH, MATT,,
		SCND LOCN: 41 ER			
4104	SGT	Secd Loc		4:16:36	VEITH, MATT,,
		SCND LOCN: ER			
4106	PAT	Secd Loc		4:16:36	BROWN, TYLER,,
		SCND LOCN: ER			
4108	PAT	Secd Loc		4:16:36	KENNEDY, SHEFDAN,,
		SCND LOCN: ER			
4104	SGT	Unit Time		4:16:46	VEITH, MATT,,
		SCND LOCN: ER			
		UNIT NOTE: Unit timer turned off			
4106	PAT	Unit Time		4:16:46	BROWN, TYLER,,
		SCND LOCN: ER			
		UNIT NOTE: Unit timer turned off			
4108	PAT	Unit Time		4:16:46	KENNEDY, SHEFDAN,,
		SCND LOCN: ER			

DATE 12/13/2012
TIME 10:24:28

INCIDENT REPORT

PAGE 5
PL1190
BAGLEYD

UNIT NOTE: Unit timer turned off				
1208	PAT	Dispatch	4:23:45	LOOMIS, CARLOS, J,
1208	PAT	En Route	4:23:46	LOOMIS, CARLOS, J,
4510	TRAF	Dispatch	4:27:15	SNOWBARGER, MARTIN,,
4510	TRAF	En Route	4:27:15	SNOWBARGER, MARTIN,,
S579	PAT	Dispatch	4:30:35	BLAU, JED,,
4510	TRAF	Arrive	4:31:11	SNOWBARGER, MARTIN,,
1208	PAT	Arrive	4:36:17	LOOMIS, CARLOS, J,
1118	PAT	Arrive	4:37:51	COX, SCOTT,,
1101	SGT	Unit Time	4:41:35	PIXTON, DAVID,,
UNIT NOTE: Reset Unit timer for: 30 minutes				
1106	PAT	Unit Time	4:41:35	ANKEAH, CHRISTOPHER,
UNIT NOTE: Reset Unit timer for: 30 minutes				
1118	PAT	Unit Time	4:41:35	COX, SCOTT,,
UNIT NOTE: Reset Unit timer for: 30 minutes				
1208	PAT	Unit Time	4:41:35	LOOMIS, CARLOS, J,
UNIT NOTE: Reset Unit timer for: 30 minutes				
4K49	K-9	Unit Time	4:41:35	SMITH, TAMARA,,
UNIT NOTE: Reset Unit timer for: 30 minutes				
4104	SGT	Unit Time	4:41:35	VEITH, MATT,,
SCND LOCN: ER				
UNIT NOTE: Reset Unit timer for: 30 minutes				
4105	PAT	Unit Time	4:41:35	HILL, JEREMY,,
SCND LOCN: BUTLER/MAIN				
UNIT NOTE: Reset Unit timer for: 30 minutes				
4106	PAT	Unit Time	4:41:35	BROWN, TYLER,,
SCND LOCN: ER				
UNIT NOTE: Reset Unit timer for: 30 minutes				
4107	PAT	Unit Time	4:41:35	URBIK, DANIEL,,
SCND LOCN: BUTLER/APACHE				
UNIT NOTE: Reset Unit timer for: 30 minutes				
4108	PAT	Unit Time	4:41:35	KENNEDY, SHEFDAN,,
SCND LOCN: ER				
UNIT NOTE: Reset Unit timer for: 30 minutes				
4134	CORP	Unit Time	4:41:35	BYERS, CHAD,,
UNIT NOTE: Reset Unit timer for: 30 minutes				
4510	TRAF	Unit Time	4:41:35	SNOWBARGER, MARTIN,,
UNIT NOTE: Reset Unit timer for: 30 minutes				
S579	PAT	Arrive	4:47:26	BLAU, JED,,
4510	TRAF	Secd Loc	4:48:00	SNOWBARGER, MARTIN,,
SCND LOCN: 81				
4510	TRAF	Secd Loc	5:01:20	SNOWBARGER, MARTIN,,
SCND LOCN: 41 SCENE				
4510	TRAF	Secd Loc	5:03:55	SNOWBARGER, MARTIN,,
SCND LOCN: SCENE				
1106	PAT	Secd Loc	5:08:46	ANKEAH, CHRISTOPHER,
SCND LOCN: 41 ER				
4507	TRAF	Dispatch	5:11:32	HERRERA, KEITH,,
4507	TRAF	En Route	5:11:32	HERRERA, KEITH,,
1106	PAT	Secd Loc	5:12:59	ANKEAH, CHRISTOPHER,
SCND LOCN: ER				
4104	SGT	Secd Loc	5:13:15	VEITH, MATT,,
SCND LOCN: 19				
4104	SGT	Secd Loc	5:17:28	VEITH, MATT,,